

REMARKS

Further to Applicants' preliminary amendment filed March 28, 2005, Applicants hereby confirm election of Group II drawn to polypeptides (Claims 13-15), and Applicants further election of SEQ ID NO:5. Applicants have canceled claims 1-12, 20-22, 29-34 and 37-42 drawn to non-elected Groups. Applicants have maintained claims 16-19, 23-28, and 35-36, as it is believed these non-elected claims are directed to product and process claims which should be rejoined upon indication of allowance of the elected claims. Claims 13 and 14 have been amended and new claims 43-48 have been added, which are directed to the elected Group II.

The specification was objected to because of informalities. Applicants submit herewith amendments to the specification. Amendments have been made to correct reference in Related Applications section to reflect proper relationship of related applications; to delete spaces referencing ATCC deposits, and to correct reference to Sequence Identifiers of sequences contained in Figures. Furthermore, a corrected Sequence Listing including sequences in the Figures is also submitted herewith. The additional sequences in the sequence listing provided are those sequences depicted in the original Figures as filed. The Figure legends have been amended to reference sequence identifiers contained in the sequence listing filed concurrently herewith. No new matter has been added by virtue of the amendments. Support for the amendments lies in the original Figures as filed. It is believed the present amendments to the specification render the objections to the specification moot. Reconsideration and withdrawal of the objections to the specification is requested.

Claim 48 was objected to as missing a period at the end of the sentence. Claim 48 has been amended to correct inadvertent typographical error of the missing period. Withdrawal of the objection is requested.

Claim 13 and Claims 14-15 were rejected under 35 USC 112, second paragraph as being indefinite.

Claim 13 was rejected under 35 USC 112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor had possession of the claimed invention.

Claim 13 was rejected under 35 USC 112, first paragraph as not reasonably providing enablement.

Claim 13 was rejected under 35 USC 102(e) as anticipated by Ruben et al.

In the interest of brevity, the above rejections are addressed in conjunction. Applicants have cancelled Claims 13-15 herein, thus rendering each of the above rejections under 35 USC 112 and 102 moot. Withdrawal of the rejections is requested.

Claim 46 was rejected under 35 USC 112, first paragraph as containing subject matter which was not described in the specification so as to enable one skilled in the art to make and/or use the invention because the deposit is necessary for enablement of the invention.

Applicants submit herewith a Statement of Biological Deposit, and a copy of the deposit receipt. It is believed the submission provided renders the rejection moot. Consideration of the present submission and withdrawal of the rejection is requested.

This paper is being filed timely and it is believed no extensions of time or fees are required. In the event any extensions of time or fees are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

Entry of the remarks made herein is respectfully requested. No new matter has been added by way of amendment, and Applicants submit that the present claims are in condition for allowance, which action is earnestly solicited.

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Respectfully submitted,

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